

## NEW DRUG SHIPPED WITHOUT EFFECTIVE APPLICATION

## DRUG FOR VETERINARY USE

3861. Adulteration and misbranding of Wonder mange capsules. U. S. v. John M. Adams. Plea of guilty. Defendant placed on probation for 2 years. (F. D. C. No. 32708. Sample Nos. 21028-L, 21212-L, 29044-L.)

INFORMATION FILED: June 6, 1952, Northern District of Alabama, against John M. Adams, manager of the J. Q. Adams Drug Co., Ashland, Ala.

ALLEGED SHIPMENT: On or about March 15 and April 25, 1951, from the State of Alabama into the States of Texas and Oregon.

LABEL, IN PART: "Wonder Mange Capsules (Canine) Caution:—Not for Human Use Each capsule contains 10 grains Sodium 2 Arsenious Acid."

NATURE OF CHARGE: Section 505 (a), the article was a new drug within the meaning of the law, and an application filed pursuant to the law was not effective with respect to the article.

Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess since it purported and was represented to contain 10 grains of a sodium compound of arsenious acid in each capsule, whereas the article did not contain 10 grains of a sodium compound of arsenious acid in each capsule but contained in excess of 10 grains of arsenic trioxide in each capsule.

Misbranding, Section 502 (a), the label statement "Each capsule contains 10 grains Sodium 2 Arsenious Acid" was false and misleading since the article contained in excess of 10 grains of arsenic trioxide in each capsule, and the label statements "Wonder Mange Capsules (Canine)" and "Uses: These capsules may be used in the treatment of All Types of Mange On Dogs" were false and misleading since the statements represented and suggested that the article would be effective in the treatment of all types of mange on dogs, whereas it would not be effective in the treatment of any type of mange on dogs.

Further misbranding, Section 502 (e) (1), the article was not designated solely by a name recognized in an official compendium, and its label failed to bear the common or usual name of the article, namely, arsenic trioxide; and, Section 502 (j), the article was dangerous to health when used in the dosage and with the frequency and duration prescribed, recommended, and suggested in the labeling, namely, "Dogs over 10 pounds body weight should receive one capsule every 3 days until symptoms disappear."

DISPOSITION: October 24, 1952. A plea of guilty having been entered, the court placed the defendant on probation for 2 years.

## VIOLATIVE SALES OF PRESCRIPTION DRUGS

3862. Misbranding of Tuinal capsules, Secobarbital Sodium capsules, racemic amphetamine sulfate tablets, pentobarbital sodium capsules, and methyltestosterone linguets. U. S. v. Highland Pharmacies, Inc., and Alec Mendelsohn. Plea of nolo contendere for corporation and plea of guilty for individual. Corporation fined \$750; sentence of 90 days in prison imposed against individual. (F. D. C. No. 33714. Sample Nos. 15851-L to 15864-L, incl.)

INFORMATION FILED: October 6, 1952, Western District of Missouri, against Highland Pharmacies, Inc., Kansas City, Mo., and Alec Mendelsohn, manager of the corporation's Store No. 2, at Kansas City, Mo.